IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.15637 OF 2026

(CNR No. HBHC010657182026)

DATE: 07.10.2026

Between :

Kiran Kumar Jakkula

… Petitioner

AND

State of Telangana

… Respondent

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nyaya Suraksha Sanhita*, 2023* (for short, 'BNSS'), seeking the relief of anticipatory bail.

2. The petitioner is arrayed as the accused No.1 in Crime No.751 of 2026 on the file of Neredmet Police Station, Malkajgiri, facing accusations under Section 69, 74, 79, 115(2), 351(2) of *Bharatiya Nyaya Sanhita, 2023* (for short 'BNS') and Section 3(2)(v) of *the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015* (for short 'SC/ST (POA) Act').

3. Heard Mr. E.Venkata Siddhartha, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor, representing the respondent-State.

4.1. The prosecution case, in brief, is that the de facto complainant was acquainted with the petitioner, being his colleague, and that, in the course of such acquaintance, they developed a relationship. It is alleged that the petitioner concealed the fact of his first marriage and, by such concealment, deceived the de facto complainant, developed a physical relationship with her, and made her join as a partner in his new agency. Thereafter, when the de facto complainant came to know about the petitioner's marriage and questioned him in that regard, the petitioner is alleged to have taken her to his family and introduced her to his wife and other family members, who allegedly accepted her.

4.2. It is further alleged that the de facto complainant had invested substantial amounts of money in the said agency and was also made a partner therein. Subsequently, the petitioner is alleged to have assaulted her and publicly subjected her to humiliation on the basis of her caste. It is also alleged that Accused No.2 had taken an amount of Rs.50 lakhs from the de facto complainant and had participated in subjecting her to caste-based humiliation. The de facto complainant further alleges that she was subsequently offered an amount of Rs.3 lakhs to leave Hyderabad and that

the petitioner threatened to kill her and spent money through various means to evade the judicial process. The petitioner is also alleged to have political influence. The de facto complainant states that she was repeatedly abused and humiliated on the basis of her caste. Accordingly, she sought appropriate action, pursuant to which the present crime came to be registered.

5.1. Learned counsel for the petitioner submits that the allegations levelled against the petitioner are unfounded and that the essential ingredients of Section 69 of the BNS are not made out even on a plain reading of the complaint. He submits that Section 69 of the BNS requires the alleged offence to be committed by deceitful means or on the basis of a promise to marry, whereas no allegation has been made that the petitioner had ever promised to marry the de facto complainant. He further submits that the allegation that the petitioner suppressed his existing marital status, by itself, does not constitute deceitful means within the meaning of the said provision.

5.2. Learned counsel further submits that the allegations attracting the provisions of the SC/ST (POA) Act are also devoid of any factual foundation. Though the de facto complainant has alleged that she was publicly subjected to caste-based abuse and humiliation, she has not specified the date, place, manner, or circumstances in which such alleged

humiliation was caused by the petitioner or the other accused. According to learned counsel, the allegations, therefore, do not disclose the essential ingredients of the offences alleged under the provisions of the SC/ST (POA) Act.

5.3. Learned counsel for the petitioner further places reliance upon the judgment of the Hon'ble Supreme Court in *Shajan Skaria v. The State of Kerala and Another*, reported in 2024 INSC 625, wherein it was held that, in the absence of a prima facie case being made out from a perusal of the complaint/FIR, the bar contained in Sections 18 and 18-A of the SC/ST (POA) Act would not operate.

5.4. Learned counsel submits that the offences alleged against the petitioner other than section 69 of BNS are punishable with imprisonment for a term of less than seven years. He reiterates that, in the absence of specific allegations disclosing the essential ingredients of Section 69 of the BNS or the offences alleged under the SC/ST (POA) Act and as the petitioner is willing to cooperate with the investigation and abide by any conditions that may be imposed by this Court, learned counsel seeks grant of anticipatory bail to the petitioner.

6.1. Learned Additional Public Prosecutor opposed the petition and submitted that the allegations contained in the complaint, particularly the

allegation that the petitioner concealed his marital status while developing a relationship with the de facto complainant, prima facie disclose an element of deception. He further submitted that the complaint specifically alleges that the petitioner and the other accused publicly subjected the de facto complainant to caste-based abuse and humiliation. According to the learned Additional Public Prosecutor, the allegations, taken at their face value, prima facie disclose the commission of offences punishable under Section 69 of the BNS as well as the relevant provisions of the SC/ST (POA) Act.

6.2. Learned Additional Public Prosecutor further submitted that the investigation is at a nascent stage and that the presence of the petitioner may be required for the purpose of custodial interrogation. It is contended that grant of anticipatory bail at this stage may prejudice the ongoing investigation and the prosecution case. On these grounds, learned Additional Public Prosecutor seeks dismissal of the petition.

7. I have considered the rival submissions and perused the material on record.

8. The specific allegation against the petitioner is that he developed a physical relationship with the de facto complainant by suppressing his first

marriage. It is further alleged that he financially exploited her and subjected her to abuse and humiliation on the basis of her caste.

9. While considering an application for anticipatory bail, this Court is not expected to undertake a meticulous examination of the evidence or record findings on disputed questions of fact. The relevant considerations include the nature and gravity of the accusation, the role attributed to the petitioner, the likelihood of his influencing or obstructing the investigation, his availability for the judicial process, and the necessity of custodial interrogation in the facts and circumstances of the case.

10. In the present case, except for the allegation of suppression of his first marriage, the complaint itself states that the petitioner took the de facto complainant to his family members and introduced her to them, and that they accepted their relationship. The averments further indicate that the relationship continued for a considerable period. Both the petitioner and the de facto complainant are adults and were acquainted with each other and in a relationship for a substantial period.

11. At this stage, however, it would be premature to determine whether the suppression of the petitioner's marital status was accompanied by a deceptive intention, whether such alleged deception induced the de facto complainant's consent to the physical relationship, or whether the

ingredients of the offence under Section 69 of the BNS are ultimately established. These questions are matters for investigation and, if necessary, trial, and no finding on the merits is warranted at this stage.

12. As regards the allegation of caste-based abuse, though the de facto complainant alleges that she was humiliated on the basis of her caste, as rightly pointed out by the petitioner, the complaint does not furnish specific particulars regarding the date, place, manner or circumstances of such alleged abuse. This aspect is relevant for assessing the prima facie case at the stage of anticipatory bail, without expressing any final opinion on the applicability of the provisions of the SC/ST (POA) Act.

13. Having regard to the nature of the allegations, the circumstances emerging from the complaint, the absence of specific particulars regarding the alleged caste-based abuse, and the petitioner's willingness to cooperate with the investigation, this Court is of the considered view that the petitioner's request for protection from arrest can be considered favorably, subject to appropriate conditions.

14. Accordingly, the Criminal Petition is allowed, subject to following conditions.

(A) The petitioner/accused No.1 shall surrender before the Station House Officer, Neredmet Police Station, Malkajgiri, on or before

22.10.2026. Upon such surrender or in the event of arrest the Station House Officer shall release him on bail on execution of a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of the said officer.

(B) The petitioner shall appear before the Investigating officer on every Tuesday and Saturday between 10.00AM to 03.00PM, for a period of twelve (12) weeks from the date of his release on bail or until the filing of the final result, whichever is earlier.

(C) The petitioner shall remain available for investigation as and when required by the Investigating Officer and shall cooperate fully with the investigation.

(D) The petitioner shall furnish his complete residential address and contact details to the Investigating Officer and shall keep the same updated throughout the course of investigation.

(E) The petitioner shall not either directly or indirectly induce, threaten, influence, or contact any prosecution witness, nor shall he tamper with the prosecution evidence in any manner whatsoever.

(F) The petitioner shall strictly comply with all the conditions contemplated under Section 482(2) of the BNSS.

(G) Any wilful breach or violation of any of the aforesaid conditions shall render the petitioner liable to appropriate proceedings before the court below, including cancellation of bail, in accordance with the provisions of the BNSS and other applicable law.

15. It is made clear that any observations made herein are confined solely to the adjudication of the present application for anticipatory bail and shall not be construed as an expression on the merits of the case. Miscellaneous applications, if any pending, shall stand closed.

N.TUKARAMJI, J

Date: 07.10.2026
CHS

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